

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF DURHAM, NORTH  
CAROLINA,

Defendant.

Case No. 1:24-cv-838-TDS-JEP

**PLAINTIFF'S SUGGESTION OF SUBSEQUENTLY DECIDED AUTHORITY**

Pursuant to Local Rule 7.3(i), Plaintiff United States of America (United States) submits the following authority decided subsequent to the filing of its Brief Regarding Applicability of *Ricci v. DeStefano* to Motion for Provisional Approval and Entry of Consent Decree, ECF Nos. 20, 22: the Order of the U.S. District Court for the Northern District of Georgia in *United States v. Cobb County*, No. 1:24-cv-02010-WMR (N.D. Ga. Jan. 16, 2025), ECF No. 13 (attached as Exhibit 1), which was decided today. In its Brief, the United States accurately represented that, “[h]aving conducted thorough research, the United States is unaware of any district or appellate court that has applied the *Ricci* standard in a decision on a motion for the entry of a consent decree to resolve a Title VII disparate impact case such as this one.” ECF No. 20 at 3. The United States learned today of this district court decision. The United States’ position, as set forth in the Brief, remains unchanged.

Dated: January 16, 2025

Respectfully submitted,

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*/s/ Robert Rich* \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2025, I electronically filed the foregoing Suggestion of Subsequently Decided Authority using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

*/s/ Robert Rich* \_\_\_\_\_